

branch—facing toward the olive branch—because we want everyone to know how we define ourselves as a nation—that, yes, we will have the military capacity to defeat enemies if we must, but, as a nation, our preference, permanently and always, is to seek peace and diplomatic solutions with all the nations of the world.

After 20 years, it is time to repeal the Iraq war authorizations. I urge my colleagues to vote yes on this procedural vote today. It will begin a robust and fulsome debate that will go into next week. Senator YOUNG and I and our colleagues are committed that that debate shall include opportunities for Members to offer amendments. That is being worked on by Democratic and Republican leadership.

We haven't had a discussion of this kind for nearly six decades. It is good that we are going to give it the time and attention it deserves, and I urge my colleagues to vote yes on the cloture motion later this morning.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, as Senators, our gravest responsibility is deciding when to authorize the use of military force because that is a decision about life and death. It is a decision about sending our sons and daughters into harm's way.

More than 20 years ago, we voted on whether to authorize the use of military force against Iraq. Decades later, we have a chance to formally end that war and claw back an outdated authority.

When authorizations for military force have outlived the purpose that Congress intended, we should repeal them. We should repeal them to ensure that Congress determines when to send Americans into harm's way, so that our laws reflect current threats and protect U.S. interests, and to guard against future executive abuse.

Now, it has taken a long time to get here. I want to commend Senators KAINE and YOUNG, two esteemed members of the Senate Foreign Relations Committee who have been pursuing repeal of the 1991 and 2002 AUMFs against Iraq for years, and I applaud their relentless focus on this issue.

As we mark the 20th anniversary of the invasion of Iraq, we cannot ignore its heavy toll. It destabilized the Middle East. It empowered Iran. It turned al-Qaida into a regional franchise. By some estimates, it killed more than a half million Iraqis. It was a war our partners in the region did not support, and it damaged American leadership on the global stage. But, most gravely, it cost our Nation nearly 5,000 lives—

Americans who fought bravely and served their Nation and didn't ask the question whether it is right or wrong but just answered the call.

Now, I am proud to have voted against going to war with Iraq in 2002 when I served in the House. I believe history has proven that that was the right call. But that is not the question before us today. The Iraq of 2023 is far different than the Iraq of 2003. Today, Iraq is a critical strategic partner. We fight ISIS together. We protect American personnel and American assets together. This relationship also goes far beyond security. We are partnering on health, education, on climate change. We are working to stabilize global energy markets together.

Repealing these outdated authorizations would cement this important relationship with serious bilateral diplomacy. It would help Iraq chart a course for the future that is independent and more closely integrated with its Arab neighbors. It also removes a major Iranian talking point, however false, that the United States is a colonial power in Iraq.

Now, there are real threats in this part of the world. We must be clear-eyed about those, but the answer to those threats is not the 1991 or 2002 AUMF.

Now, I know, when we get to amendments, my colleagues will offer amendments to this bill. They will try to delay repeal. They will argue that we need these authorizations to respond to Iranian-led and Iranian-backed attacks. They may even offer amendments to expand these authorizations and give the President even broader authority. But I urge my colleagues to remember this: The President is clear in his view that he has the authority, under the 2001 AUMF and the Constitution, for defensive military operations against ISIS or Iranian threats against U.S. personnel and interests. In fact, the President has responded to Iranian-led and Iranian-backed attacks repeatedly and has done so without—with-out—relying on the 2002 AUMF.

Now, take it from me, as someone who has worked for decades to confront the challenge of Iran, I know well the threat that Iran poses to us and to our allies in the region. We cannot be naive about their intentions, and we need to have the political will to respond how and when we deem necessary. But repeal will have no impact on our ability to defend U.S. interests against Iran—none whatsoever.

After 20 years, this is a defining moment. Congress needs to repeal these authorizations for the use of military force to reassert our constitutional role on war powers.

We should not just declare war; we need to be able to end them as well. And let's be clear: This is not some theoretical debate. This is about the lives of our servicemen and -women who may be called upon to fight and make the ultimate sacrifice.

In our democracy, those decisions must be made by Congress. So I am

proud that we are stepping up to have the difficult debates that we should have. And I look forward to passing this bill with a strong bipartisan vote, as it passed out of the Senate Foreign Relations Committee, which has jurisdiction over the authorizations for use of military force. That bipartisan vote there, I think, will be reflected in a bipartisan vote in the House.

I urge my colleagues to vote to repeal these authorizations, and, in the first instance, to start by doing so by voting to have cloture.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 27, Jessica G. L. Clarke, of New York, to be United States District Judge for the Southern District of New York.

Charles E. Schumer, Richard J. Durbin, Richard Blumenthal, Christopher A. Coons, Benjamin L. Cardin, Tina Smith, Christopher Murphy, Mazie Hirono, Tammy Baldwin, Margaret Wood Hassan, John W. Hickenlooper, Sheldon Whitehouse, Catherine Cortez Masto, Brian Schatz, Gary C. Peters, Alex Padilla, Michael F. Bennet.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Jessica G. L. Clarke, of New York, to be United States District Judge for the Southern District of New York, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Pennsylvania (Mr. FETTERMAN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Texas (Mr. CRUZ), the Senator from North Dakota (Mr. HOEVEN), and the Senator from Kentucky (Mr. MCCONNELL).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."

The PRESIDING OFFICER (Mr. BENNET). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 49, nays 45, as follows:

[Rollcall Vote No. 60 Ex.]

YEAS—49

Baldwin	Cantwell	Cortez Masto
Bennet	Cardin	Duckworth
Blumenthal	Carper	Durbin
Booker	Casey	Gillibrand
Brown	Coons	Hassan

Heinrich	Murphy	Smith
Hickenlooper	Murray	Stabenow
Hirono	Ossoff	Tester
Kaine	Padilla	Van Hollen
Kelly	Peters	Warner
King	Reed	Warnock
Klobuchar	Rosen	Warren
Luján	Sanders	Welch
Manchin	Schatz	Whitehouse
Markey	Schumer	Wyden
Menendez	Shaheen	
Merkley	Sinema	

NAYS—45

Blackburn	Graham	Ricketts
Boozman	Grassley	Risch
Braun	Hagerty	Romney
Britt	Hawley	Rounds
Budd	Hyde-Smith	Rubio
Capito	Johnson	Schmitt
Cassidy	Kennedy	Scott (FL)
Collins	Lankford	Scott (SC)
Cornyn	Lee	Sullivan
Cotton	Lummis	Thune
Cramer	Marshall	Tillis
Crapo	Moran	Tuberville
Daines	Mullin	Vance
Ernst	Murkowski	Wicker
Fischer	Paul	Young

NOT VOTING—6

Barrasso	Feinstein	Hoeven
Cruz	Fetterman	McConnell

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 45.

The motion is agreed to.

The majority leader.

AUTHORIZATION FOR USE OF MILITARY FORCE

Mr. SCHUMER. Mr. President, almost 20 years to the day since the start of the Iraq war, the U.S. Senate is beginning the bipartisan process of repealing the Iraq AUMF of 2002.

Repealing this AUMF is a necessary step toward putting the final remnants of the Iraq war squarely behind us.

Every year we leave this AUMF on the books is another year a future administration can abuse it. Congress, the rightful dispenser of war powers, cannot allow this to continue.

Repealing the AUMF and the AUMF of 1991, as well, will not hinder our national defense, nor will it hurt the efforts of our troops deployed overseas.

Americans are tired of endless wars in the Middle East. I hope this year, on the 20th anniversary of the start of the Iraq war, both parties in both Chambers will speak with one voice.

And I want to certainly thank Senators Kaine and Young, as well as our chair and ranking member of the Foreign Relations Committee, who have done such a good job on this issue, bringing it to where we are today.

I yield the floor.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 25, S. 316, a bill to repeal the authorizations for use of military force against Iraq.

Charles E. Schumer, Tim Kaine, Robert Menendez, Amy Klobuchar, Ron Wyden, Christopher Murphy, Benjamin L. Cardin, Jack Reed, Mazie Hirono, Jeanne Shaheen, Christopher A. Coons, Richard J. Durbin, Cory A. Booker, Mark R. Warner, Jeff Merkley, Richard Blumenthal, Margaret Wood Hassan.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 316, a bill to repeal the authorizations for use of military force against Iraq, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Pennsylvania (Mr. FETTERMAN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Texas (Mr. CRUZ), and the Senator from Kentucky (Mr. MCCONNELL).

The yeas and nays resulted—yeas 68, nays 27, as follows:

[Rollcall Vote No. 61 Leg.]

YEAS—68

Baldwin	Heinrich	Paul
Bennet	Hickenlooper	Peters
Blumenthal	Hirono	Reed
Booker	Hoeven	Rosen
Braun	Johnson	Sanders
Brown	Kaine	Schatz
Budd	Kelly	Schmitt
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Lee	Sinema
Casey	Luján	Smith
Cassidy	Lummis	Stabenow
Collins	Manchin	Tester
Coons	Markey	Van Hollen
Cortez Masto	Marshall	Vance
Cramer	Menendez	Warner
Daines	Merkley	Warnock
Duckworth	Moran	Warren
Durbin	Murkowski	Welch
Gillibrand	Murphy	Whitehouse
Grassley	Murray	Wyden
Hassan	Ossoff	Young
Hawley	Padilla	

NAYS—27

Blackburn	Graham	Rounds
Boozman	Hagerty	Rubio
Britt	Hyde-Smith	Scott (FL)
Capito	Kennedy	Scott (SC)
Cornyn	Lankford	Sullivan
Cotton	Mullin	Thune
Crapo	Ricketts	Tillis
Ernst	Risch	Tuberville
Fischer	Romney	Wicker

NOT VOTING—5

Barrasso	Feinstein	McConnell
Cruz	Fetterman	

(Mr. HICKENLOOPER assumed the Chair.)

The PRESIDING OFFICER (Mr. PETERS). On this vote, the yeas are 68, the nays are 27.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

REPEALING THE AUTHORIZATIONS FOR USE OF MILITARY FORCE AGAINST IRAQ—Motion to Proceed

The PRESIDING OFFICER. The clerk will report the motion to proceed.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 25, S. 316, a bill to repeal the authorizations for use of military force against Iraq.

EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume executive session.

The PRESIDING OFFICER. The Senator from Oregon.

FALLON SMART RULE

Mr. WYDEN. Mr. President, I rise today to highlight a new rule by the State Department that honors a 15-year-old Portland girl whose life was cut short by a hit-and-run driver in 2016. The girl's name is Fallon Smart, and the man accused of manslaughter in her hit-and-run death was a Saudi national.

Subsequent reporting by my hometown paper, The Oregonian, uncovered that the Saudi national likely fled the country with the assistance of the Saudi Government. The paper's reporting later revealed that this Saudi affront to American justice was not—repeat, was not—an isolated example when its nationals face criminal charges in our country.

Our paper found 17 cases in the United States and Canada of Saudi nationals who fled justice while facing criminal charges. These cases—some go back decades—are not for parking tickets. The charges against these Saudi men include rape, manslaughter, and felony hit-and-run.

In Oregon alone, journalists identified seven cases of Saudi nationals absconding justice. Their crimes included first-degree manslaughter, unlawful firearm possession, intoxicated driving, third-degree felony assault, and multiple sex crimes including sexual abuse, first-degree rape, and numerous counts of first-degree encouraging child sex abuse.

In Montana, two Saudi nationals fled after accusations of sexual assault.

In Ohio, two Saudi nationals fled after being accused of third-degree involuntary manslaughter and beating people with weapons at a college bar.

In Oklahoma, a Saudi national fled after being convicted of first-degree rape.

In Pennsylvania, a Saudi national fled after being accused of attempted rape.

In Utah, a Saudi national fled after being convicted of rape.

In Washington State, three Saudi nationals fled after respective accusations of rape, sexual assault of a child, and beating and stabbing a classmate.

In Wisconsin, a Saudi national fled after being accused of two counts of sexual assault.